

ZB# 92-18

Vincent Sorbello

35-1-2

Prelim:

June 22, 1992

(Variance granted on 7/8/86.
1986 - Applicant - Lit (aps).
See 86-29)

Aps. furnished
on 6/4/92.

Need:

① Copy of deed
② " Title Report

③ Photos.

Motion to sched.
P.H.

Public Hearing:

July 13, 1992.

Area

Variance

Granted

7/13/92

~~Do Not~~

Att'y's Time:

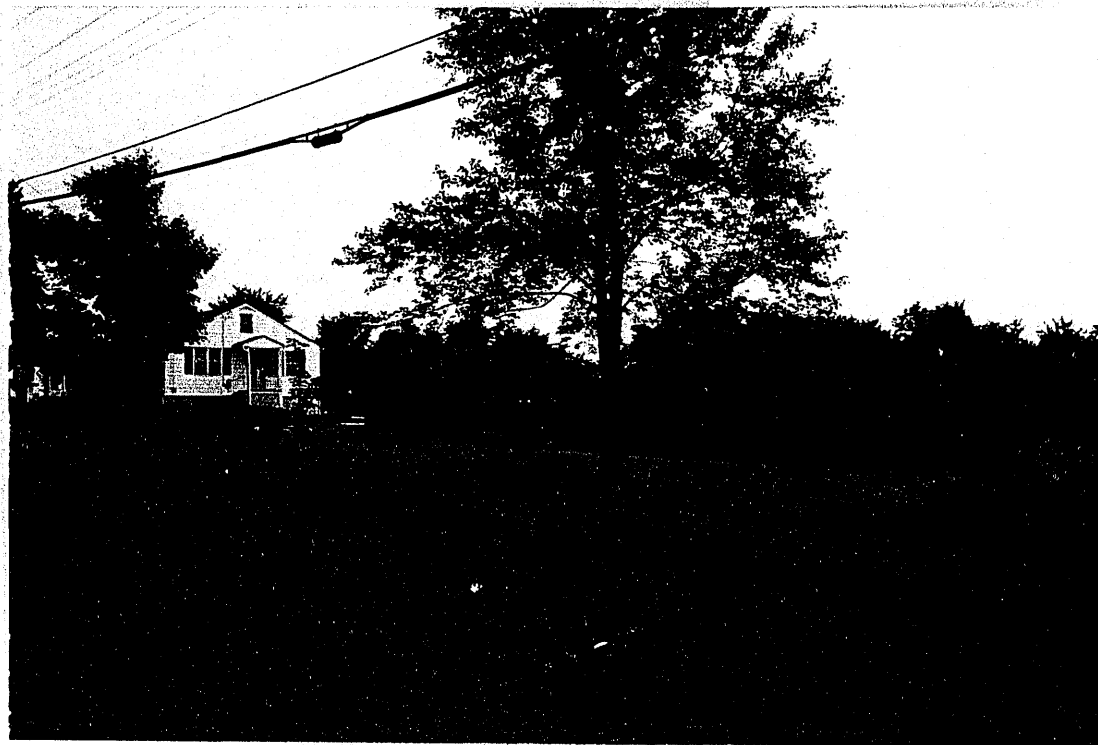
\$20.50 Refund
Sent 8/17/92

#92-18- Sorbello, Vincent - area



Co # 104 - Quinlan, James & Grace

Co # 104 Quinton, James & Grace



TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

12773

Received of

Patricia Portello

July 21, 19 92

\$ 50 ⁰⁰/₁₀₀

Fifty and ⁰⁰/₁₀₀

DOLLARS

For

Variance fee (# 92-18)

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Check # 3373</u>		<u>\$50⁰⁰/₁₀₀</u>

By

Patricia B. Townsend

Town Clerk

Title



PATRICIA SORBELLO
VINCENT SORBELLO

PH. 914-564-7378
R.D. 2, RILEY RD., BOX 205
NEW WINDSOR, NY 12553

3374

7-1 19 92

50-7081/2219
3

PAY TO THE
ORDER OF

Town of New Windsor

\$ 250.⁰⁰/₁₀₀

Two hundred fifty ⁰⁰/₁₀₀

DOLLARS



A Subsidiary of First Inter-Bancorp Inc.
1011 UNION AVENUE, NEWBURGH, N.Y. 12550

FOR

Lot Riley Rd. #92-18

Patricia Sorbello

⑆221970812⑆ 881 3504209⑈ 3374

PATRICIA SORBELLO
VINCENT SORBELLO

PH. 914-564-7378
R.D. 2, RILEY RD., BOX 205
NEW WINDSOR, NY 12553

3373

7-1 19 92

50-7081/2219
3

PAY TO THE
ORDER OF

Town of New Windsor

\$ 50.⁰⁰/₁₀₀

Fifty ⁰⁰/₁₀₀

DOLLARS



A Subsidiary of First Inter-Bancorp Inc.
1011 UNION AVENUE, NEWBURGH, N.Y. 12550

FOR

#92-18

Patricia Sorbello

⑆221970812⑆ 881 3504209⑈ 3373

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Sorbello, Vincent

FILE # 92-18

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE \$ 50.00 *pd.*

* * * * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 250.00 *pd.*

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE *5 pages - 6/22* . . . \$ 22.50
 2ND PRELIM. MEETING - PER PAGE . . . \$
 3RD PRELIM. MEETING - PER PAGE . . . \$
 PUBLIC HEARING - PER PAGE *9/13/92 - 6 pages* . . . \$ 27.00
 TOTAL \$ 49.50

ATTORNEY'S FEES:

PRELIM. MEETING- .1 HRS. \$ 15.00
~~2ND PRELIM.~~ *Put Here* .1 HRS. \$
 3RD PRELIM. HRS. \$
 FORMAL DECISION 1.0 HRS. \$
 TOTAL HRS. 1.2 @ \$ 150 PER HR. \$ 180.00
 TOTAL \$ 180.00

MISC. CHARGES:

_____. \$ 229.50
 TOTAL \$ 229.50

LESS ESCROW DEPOSIT . . . \$ 250.00
 (ADDL. CHARGES DUE) . . . \$
 REFUND TO APPLICANT DUE . \$ 20.50 *Refund*

NEW WINDSOR ZONING BOARD OF APPEALS

-----X
In the Matter of the Application of
VINCENT SORBELLO

DECISION GRANTING
AREA VARIANCE

#92-18.
-----X

WHEREAS, VINCENT SORBELLO, R. D. #2, Box 205, Riley Road, New Windsor, 12553, has made application before the Zoning Board of Appeals for 19,170 s.f. lot area variance in order to construct a single-family residential dwelling at the above address in an R-3 zone; and

WHEREAS, a public hearing was held on the 13th day of July, 1992 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant, VINCENT SORBELLO, appeared in behalf of himself and spoke in support of the application; and

WHEREAS, Andrew Kane, who resides two doors away at 223 Riley Road, was present at the public hearing and stated that he was in support of the application; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the provisions of the bulk regulations with regard to lot area in order to construct a single-family residential dwelling in an R-3 zone.

3. The evidence presented by the applicant indicated that this applicant, as the then-contract purchaser, and John and Marie Lock, as the then-owner and seller, applied for, and were granted, the same 19,170 s.f. lot area variance which is the subject of this application. This Board granted said variance on 9/8/86 under file No. 86-29. The applicant thereafter purchased the lot for a valuable consideration which was predicated in part upon the area variance which made the lot buildable. The applicant did not apply for a building permit or commence construction on the lot because he was busy and did not realize that the variance would lapse if not renewed. More than 12 months have elapsed since the previous variance was granted so that the application has become null and void. Zoning Local Law Section 48-34(G). The applicant now returns to this Board with exactly the same area variance application.

4. The evidence presented by applicant substantiated the fact that a variance for less than the allowable lot area would be required in order for applicant to be able to construct a single-family residential dwelling which otherwise would conform to the bulk regulations in the R-3 zone.

5. The evidence presented by applicant substantiated the fact that applicant will suffer a monetary loss if he is prevented from building the single-family residential dwelling because he purchased the lot, with the previous variance, as a building lot and the said price warranted a buildable lot.

6. It further appeared from evidence presented at the public hearing that the subject lot was created by deed, in the 1950's or 1960's, prior to the adoption of a Zoning Local Law in the Town of New Windsor. Thus, the lot has had its present dimensions before zoning. The lot is approximately the same size as nearby lots. The applicant does not own any contiguous property which could be annexed to enlarge the area of this lot.

7. It is the finding of this Board, from the evidence submitted by the applicant, that the applicant would suffer significant economic injury from the strict application of the bulk regulations because the applicant purchased the lot based on the now-lapsed prior variance and would be unable to recover his initial investment unless the variance is again granted and the lot remains as a buildable lot.

8. It is the finding of this Board that the applicant has made a sufficient showing of practical difficulty, entitling him to the requested area variance.

9. The requested variance will not produce an undersirable change in the character of the neighborhood or create a detriment to nearby properties.

10. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

11. The requested variance is substantial in relation to the bulk regulations for lot area but a number of extenuating circumstances warrant the granting of the requested area variance, namely, the lot has had its present dimensions since a date which pre-exists zoning in the Town of New Windsor, similar size lots are nearby, there is no other available land which can be annexed to this lot to enlarge its area, and this Board has previously granted the exact same variance which the applicant relied upon in purchasing this lot and then allowed to lapse.

12. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

13. The difficulty the applicant faces in conforming to the bulk regulations is partially self-created since the applicant allowed the previously granted variance to lapse because he was

unaware that it would become null and void if construction was not commenced within 12 months. However, since conditions have not changed since the previous variance was granted, this Board is disposed to again grant applicant the necessary variance.

14. It is the finding of this Board that the benefit to the applicant, if the requested area variance is granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community by such grant.

15. It is the further finding of this Board that the requested lot area variance is the minimum variance necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

16. The interests of justice will be served by allowing the granting of the requested lot area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 19,170 s.f. lot area variance as sought by applicant in order to construct a single-family residential dwelling in an R-3 zone in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: August 10, 1992.

Chairman

(ZBA DISK#8-1000000.txt)

Date 7/24/92, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550

TO Frances Roth 289 Manor Hill Rd DR.
New Windsor Ny 12550

DATE				CLAIMED	ALLOWED
7/17/92		Zoning Board		75 00	
		Misc -			
		Grubel - 6 -	27.00		
		DeConto - 8 -	36.00		
		Batts - 4 -	18.00.		
		DiGisio - 5	22.50.		
		Dreunen - 6	27.00.		
		Sorbello - 6	27.00.		
				237 00	

PUBLIC HEARING: SORBELLO, VINCENT

MR. FENWICK: This is a request for 19,170 square foot lot area variance to construct single-family residence on Riley Road in R-3 zone.

Vincent Sorbello came before the Board representing this proposal.

MR. FENWICK: Anyone here in the audience in reference to this?

MR. ANDREW KANE: I'm here.

MR. FENWICK: Are you a neighbor?

MR. KANE: Yes.

MR. FENWICK: Will you sign this, please? Mr. Sorbello, tell us what you'd like to do and why you'd like to do it.

MR. SORBELLO: I'd like to construct single-family dwelling ranch house probably on this lot, I bought the lot I believe five years ago, kind of speculation deal and work is slow enough now where I think I'll build a house and sell the house and the lot, not much going on construction-wise so I do commercial construction so I got time to do this now. I want to build a house. I can sell the lot and the house. It was a pre-existing lot that I bought from people who were going to build on it and they were service people, got transferred and never built on it. I got a variance when I bought the lot, didn't realize I had to renew the variance and I let it lapse and just didn't do anything about it because I was too busy to do anything about it. But now, the way work is, I'd like to sell the lot but not sell the lot, build a house on it to sell.

MR. FENWICK: Looking at some kind of a utility on the front of this property, is that your property that that utility is on? I see a couple of transformers here.

MR. SORBELLO: No, that's across the street. That's the sewer that's always broke down.

MR. FENWICK: So the piece of property you're referring

to is next to this white house?

MR. SORBELLO: It's next to the white house, the piece that is mowed.

MR. FENWICK: You mowed that? What a nice guy you are. Most of the people that come in here and they say underneath all that brush.

MR. SORBELLO: We mowed it every year just bush hog it, I don't mow it with a lawnmower, just once a year to keep the brush down, the lot next to it with the trees on it, they were, that was at one time when father and the son owned the two pieces and then the father sold his piece way back in the early 70's to the father that I bought it from, that's how it got, it was originally separated two pieces but the son owned one and the father owned the other and they were all kept together and that is how much it's grown up since '86.

MR. LUCIA: These dimensions for this lot though pre-exist zoning, if I remember your presentation?

MR. SORBELLO: Yes, yes.

MR. LUCIA: Even though they have been family owned, it's separate lot?

MR. SORBELLO: Both lots were separate lots from probably 60's, maybe early 60's.

MR. FENWICK: You do not own any contiguous property to this?

SORBELLO: No.

MR. NUGENT: Just sewer on this property?

MR. SORBELLO: Just sewer, we almost got water.

MR. NUGENT: You may yet.

MR. FENWICK: The property behind you, marked as lot 95.1.

MR. SORBELLO: That's the Thruway.

MR. FENWICK: No, there's an L-shaped piece of property

that surrounds lots 91, 92, and 93.

MR. SORBELLO: No, it's way up here.

MR. FENWICK: Never mind, I forgot about that.

MR. BABCOCK: Whenever we issue a building permit or a C.O., we put it on the map and that is what happened there.

MR. SORBELLO: I have all the proper setbacks to build a house, I just don't have enough area.

MR. LUCIA: Speaking of the setback and thank you for giving us a copy of the deed and title policy, your deed has a number of covenants and restrictions, Number 3 is that no structure be erected nearer than 55 feet from the center line of Riley Road, aforesaid or nearer than 15 feet from the south line of the above described premises. Will your proposed construction comply with those if this Board grants you a variance?

MR. SORBELLO: Yes.

MR. LUCIA: Number of covenants, restrictions are turned out in here but not spelled out in detail as that was, is there anything to your knowledge affecting the title of this property in the way of covenants, restrictions, easements, grants, which would prohibit you from constructing what it is you propose to construct if this Board grants you a variance?

MR. SORBELLO: No.

MR. LUCIA: Thank you.

MR. FENWICK: I'll open it up to the public, please give your name and address.

MR. ANDREW KANE: I support it.

MR. FENWICK: Mr. Kane, are you close to this piece of property?

MR. KANE: I'm two houses from it.

MR. LUCIA: I just have a couple of questions. You said you were previously granted a variance. Was that

September 8th of 1986? '

MR. SORBELLO: Yes.

MR. LUCIA: For the exact same variances you're seeking now?

MR. SORBELLO: Yes.

MR. LUCIA: Will there be an undesirable change in the character of the neighborhood or detriment to nearby properties if this Board grants you the variances you request?

MR. SORBELLO: No.

MR. LUCIA: Is there any other way that you can achieve the same result other than applying for a variance?

MR. SORBELLO: No.

MR. LUCIA: Are the variances you're requesting substantial in relation to the bulk requirements of zoning ordinance?

MR. SORBELLO: I don't follow you on that.

MR. LUCIA: Well, you're looking for 19,170 square foot lot area variance in areas, that's zoned for a lot area requiring 32,670 square feet so your variance request is fairly substantial in relation to that but, there's no other land available which you could add to this lot to come closer to the requirement, is that correct?

MR. SORBELLO: No, there's no other land. It conforms also with the two lots adjacent to it.

MR. LUCIA: They are also small lots?

MR. SORBELLO: The one that's vacant is slightly larger but the one the white house is on here, her lot is basically the same size a little wider but shallower from the Thruway to Riley Road.

MR. LUCIA: And will this variance if this Board grants it to you have an adverse effect on the neighborhood or the zoning district?

July 13, 1992

35

MR. SORBELLO: No. :

MR. LUCIA: And you did nothing to create this difficulty yourself, you did not create the lot dimensions, this is the way you bought it?

MR. SORBELLO: Yes.

MR. LUCIA: Thank you, Mr. Sorbello.

MR. FENWICK: Any other questions from the Members of the Board?

MR. KONKOL: I make a motion we grant the variance.

MR. TANNER: I'll second it.

ROLL CALL:

Mr. Tanner	Aye
Mr. Nugent	Aye
Mr. Konkol	Aye
Mr. Fenwick	Aye

Date 7/13/92, 19.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550**

TO Frances Roth 389 Moores H71 Rd DR.
New Windsor NY 12550

DATE		CLAIMED	ALLOWED
6/32/97	Zoning Board Meeting	75 00	
	Minutes - 4 pgs	184 30	
	Agenda - 20 pages	259 50	
	Sorkello - 5 " 22.50.		
	Pillitteri / Dickson - 6 "		
	Borden - 2 "		
	Road - 5 " <i>Richard Jensen, c.</i>		

June 22, 1992

23

PRELIMINARY MEETING: SORBELLO, VINCENT:

MR. FENWICK: This is a request for 19,170 square foot lot area variance to construct single-family residence on Riley Road in R-3 zone. (Previous variance granted on 9-8-86 but applicant did not apply for building permit and variance lapsed.)

Vincent Sorbello came before the Board representing this proposal.

MR. SORBELLO: Things are slow so we want to build a house on spec, apply for a variance so I can build a house. The lot is large enough setback wise just large enough, not large enough area wise. It's a pre-existing lot from somewhere back in the 50's. That was bought and sold a couple of times and I bought it.

MR. LUCIA: The lot has had these dimensions since the 50's?

MR. SORBELLO: Yes.

MR. BABCOCK: It meets all the nonconforming requirements except having central water, that's the problem. If he had water, he'd have a permit.

MR. FENWICK: Sewage?

MR. BABCOCK: Yes.

MR. SORBELLO: It has sewer and it's as big as the lot next to it, it has a house on it, both lots next to it that have houses that have been there since the early, well one since the 40's, one since the 50's. When the Thruway went through, it took probably took part of the back property, back of the property off.

MR. FENWICK: Is there a house as I'm seeing here lots 91 and 93, yours being 92, is there a house on each one of these lots?

MR. SORBELLO: No, if mine is --

MR. BABCOCK: You're 92.

MR. SORBELLO: Yes, this is 91, subdivision doesn't go behind there.

MR. LUCIA: The lot numbers don't seem to match cause this is on the agenda as Section 35 Block 1 Lot 2. The tax map we are looking at --

MR. BABCOCK: Lot 2 is all the way up at the end.

MR. SORBELLO: That's the one I received the variance on?

MR. BABCOCK: That's just a building permit number, that 92 applied for, we write it on the map.

MR. SORBELLO: Back to the Thruway, there's no house on this lot.

MR. LUCIA: You're saying there's no house on Lot 3.121?

MR. SORBELLO: No.

MR. LUCIA: There's a house on 3.11 and there's a house to the north of your lot too, is that what you're saying?

MR. SORBELLO: Yes.

MR. LUCIA: That's just to protect the record because we can't see what it is you're pointing to.

MR. FENWICK: Is there a lot further over, in other words where this Number 2 is, is there a building lot there?

MR. SORBELLO: There's a house there, here's a house, there's another house and no more.

MR. FENWICK: Do you know what the size of this lot here is that's compared to yours?

MR. SORBELLO: It's very close to the same, maybe slightly wider frontage wise but narrower because the Thruway is on an angle here, the lots come in on an angle towards Riley Road so here this lot is narrower, this one is longer than that, it's here, here is the same, she may have a little more frontage footage wise it's probably the same size. And the one next to it is

smaller but that house has been there since the 40's probably.

MR. FENWICK: This is the proper road coming in through here, is that what I'm looking at?

MR. BABCOCK: Yes, that's Riley Road.

MR. SORBELLO: My uncle owned all this property way back and he was the Highway Superintendent and took some of the hooks out, he gave a little and took a little but it didn't work out on the map to well. It helped Riley Road a lot.

MR. KONKOL: Reason you didn't build at that time?

MR. SORBELLO: I was busy and never got around to getting a permit and didn't realize that I needed to renew the variance. If I had gotten the permit, I would have been okay.

MR. NUGENT: Which is the right lot we're looking at, 92?

MR. LUCIA: Lot Number 2.

MR. FENWICK: There was an originally approved subdivision.

MR. TORLEY: Yes, when it was originally subdivided.

MR. BABCOCK: I think these lots existed long before zoning and I think this, they were just created by deeds back in the 40's.

MR. FENWICK: You don't own the adjoining lot then, only this parcel, not on either side?

MR. SORBELLO: Yes, the other one is owned by Gordon Frey and he plans on building a house, he's been planning for a couple of years but he can't sell the house in the Town of Newburgh so --

MR. KONKOL: I make a motion we set him up for a public hearing.

MR. NUGENT: I'll second it.

ROLL CALL:

Mr. Torley	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye
Mr. Fenwick	Aye

MR. FENWICK: Before you leave, I'm going to turn it over to our attorney with all the wheres and wherefores that you're going to have to come up with.

MR. LUCIA: Even though you once had a variance approved for this very same area deficiency, you still need to make a full application to this Board and the full presentation of the reasons why it is that you're entitled to a variance. I certainly would make part of that the prior application on the variance that was granted but you still need to make a showing of practical difficulties because this is an area variance, you do that by showing significant economic injury how it is that the application of the ordinance causes you economic injury, the cost of the parcel compared to the value as it's zoned is the relevant issue. I believe from looking at the records that you were contract purchaser of the property at the time of the previous and you are now the owner. If you paid a certain price for the property, based on what was then a granted variance, that may help to establish your economic injury claim you thought you had a building lot by virtue of having let it lapse, you no longer have a building lot so that certainly affects the return you got based on what it was you paid. So if that is relevant, I certainly would make the presentation to the Board.

When you come back, I'd also like to see a copy of your deed, copy of the title policy or search, whichever you or your attorney got on the property when you got it, when you bought it and the Board would like to see some photographs of the property also. When you return the application, you need two checks both payable to the Town of New Windsor, one for \$50 application fee and the second one for \$250 deposit against town consultant review fees, publication costs and any other expenses the Board has in connection with your application. Give that back to Pat and get set up for the public hearing.

June 22, 1992

27

Just for your own information, you mentioned that you never got around to applying for a building permit previously. According to Section 4834G of the ordinance, if the Board grants you a variance this time, you have 12 months in which to commence construction, not just apply for the permit and diligently pursue it so if the variance is granted, just keep in mind you need to get moving within the next year.

MR. SORBELLO: Okay, thank you.

MR. FENWICK: Don't forget to bring any of the items mentioned including photographs.

MR. SORBELLO: Yes.

THIS INDENTURE, made the 10th day of September, nineteen hundred and eighty-six
BETWEEN JOHN LOCK and MARIE LOCK, husband and wife, both re-
siding at 64 Chestnut Lane, Newburgh, New York 12550, by VINCENT
COLUCCIO, their Attorney-in-Fact,

party of the first part, and VINCENT SORBELLO and PATRICIA SORBELLO, ^{HUSBAND AND WIFE} residing
at R. D. #2, Riley Road, New Windsor, New York 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----TEN
and 00/100 (\$10.00)-----dollars,
lawful money of the United States, paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of New Windsor, Orange County, New York, more
particularly bounded and described as follows:

BEGINNING at a point in the center line of the Riley Road in line
with a stone wall at the southwest corner of lands now or formerly
of John and Pauline Pomarico and runs thence easterly along the
southerly line of the said Pomarico lot 155 feet, more or less,
to the line of lands taken by the New York State Thruway Authority;
thence southerly along the division line between lands of Peter
Congelosi and lands of the New York State Thruway Authority 100
feet, more or less, to a point; thence westerly parallel with the
first course herein and 100 feet southerly therefrom 155 feet,
more or less, through the lands of said Peter Congelosi to the
center line of the Riley Road, aforesaid; thence northerly along
the said center line 100 feet to the point or place of beginning.

SUBJECT to the following covenants and restricitons which are
hereby made covenants running with the land;

1. That the above described premises shall be used for residen-
tial purposes only and that no livestock excepting household pets
shall ever be kept or maintained on the premises.
2. That only one dwelling house and the usual or necessary out-
buildings thereto shall be erected upon the above described prem-
ises and the cost for same shall not be less than \$8,500.00.
3. That no structure shall be erected nearer than 55 feet from
the center line of the Riley Road aforesaid or nearer than 15
feet from the south line of the above described premises.
4. That no trailer, or temporary living structure or summer cot-
tage or bungalow shall ever be placed, located, erected or oc-
cupied on said premises.

HUSBAND AND WIFE

party of the first part, and VINCENT SORBELLO and PATRICIA SORBELLO, residing
at R. D. #2, Riley Road, New Windsor, New York 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----TEN
and 00/100 (\$10.00) -----dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of New Windsor, Orange County, New York, more
particularly bounded and described as follows:

BEGINNING at a point in the center line of the Riley Road in line
with a stone wall at the southwest corner of lands now or formerly
of John and Pauline Pomarico and runs thence easterly along the
southerly line of the said Pomarico lot 155 feet, more or less,
to the line of lands taken by the New York State Thruway Authority;
thence southerly along the division line between lands of Peter
Congelosi and lands of the New York State Thruway Authority 100
feet, more or less, to a point; thence westerly parallel with the
first course herein and 100 feet southerly therefrom 155 feet,
more or less, through the lands of said Peter Congelosi to the
center line of the Riley Road, aforesaid; thence northerly along
the said center line 100 feet to the point or place of beginning.

SUBJECT to the following covenants and restrictions which are
hereby made covenants running with the land;

1. That the above described premises shall be used for residen-
tial purposes only and that no livestock excepting household pets
shall ever be kept or maintained on the premises.
2. That only one dwelling house and the usual or necessary out-
buildings thereto shall be erected upon the above described prem-
ises and the cost for same shall not be less than \$8,500.00.
3. That no structure shall be erected nearer than 55 feet from
the center line of the Riley Road aforesaid or nearer than 15
feet from the south line of the above described premises.
4. That no trailer, or temporary living structure or summer cot-
tage or bungalow shall ever be placed, located, erected or oc-
cupied on said premises.

BEING the same premises conveyed to JOHN LOCK and MARIE LOCK, hus-
band and wife, by VINCENT COLUCCIO and ROSE COLUCCIO, husband and
wife, by Deed dated June 16th, 1984 and recorded in the Orange
County Clerk's Office on October 23rd, 1984 in Liber 2302 of Deeds
at page 640.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof,

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been incumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

Daniel P. [unclear]

John Lock by Vincent Coluccio
John Lock, by Vincent Coluccio,
Attorney-in-Fact

Marie Lock by Vincent Coluccio
Marie Lock, by Vincent Coluccio,
Attorney-in-Fact

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

Notary Public

ss: STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order. STATE OF NEW YORK, COUNTY OF ORANGE

On the 10 day of September, 1986, before me personally came VINCENT COLUCCIO, to me known and known to me to be the attorney-in-fact of John Lock and Marie Lock, the individuals described in, and who by their said attorney-in-fact executed the foregoing instrument, and duly acknowledged before me that he executed the same as the act of deed of John Lock and Marie Lock therein described, and for the purposes therein mentioned, by virtue of a Power of Attorney, to be recorded simultaneously herewith.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE NO.

JOHN LOCK and MARIE LOCK,
husband and wife,

TO

VINCENT SORBELLO and PATRICIA
SORBELLO.

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS
Distributed by



american title insurance company
northeast region

A Member of The Continental Insurance Companies

Notary Public

SECTION

BLOCK

LOT

COUNTY OR TOWN

DAVID E. TOWER

Notary Public, State of New York

Residing in Newburgh, N. Y.

Commission Expires March 30, 1987

Recorded At Request of American Title Insurance Company

RETURN BY MAIL TO:

Scott & Schechtman, Esqs.,
178 Grand Street,
Newburgh, NY 12550

Zip No.

Notary Public

STATE OF NEW YORK, COUNTY OF

ss: STATE OF NEW YORK, COUNTY OF

ss:

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order. STATE OF NEW YORK, COUNTY OF ORANGE

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

On the 10 day of September, 1986, before me personally came VINCENT COLUCCIO, to me known and known to me to be the attorney-in-fact of John Lock and Marie Lock, the individuals described in, and who by their said attorney-in-fact executed the foregoing instrument, and duly acknowledged before me that he executed the same as the act of deed of John Lock and Marie Lock therein described, and for the purposes therein mentioned, by virtue of a Power of Attorney, to be recorded simultaneously herewith.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

JOHN LOCK and MARIE LOCK,
husband and wife,
TO

VINCENT SORBELLO and PATRICIA SORBELLO.

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS
Distributed by



american title insurance company
northeast region

A Member of The Continental Insurance Companies

Notary Public

SECTION

BLOCK

LOT

COUNTY OR TOWN

DAVID E. TOWER

Notary Public, State of New York

Residing in Newburgh, N. Y.

Commission Expires March 30, 1987

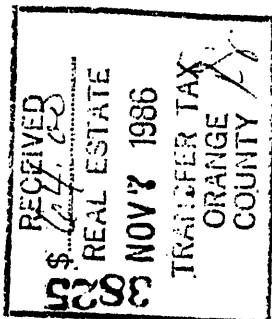
Recorded At Request of American Title Insurance Company

RETURN BY MAIL TO:

Scott & Schechtman, Esqs.,
178 Grand Street,
Newburgh, NY 12550

Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE



LIBER 2603 PG 124

Orange County Clerk's Office, S.S.
Recorded on the 7th day
of November 1986 at 7:00
clock P.M. at page 124
and EXAMINED.

Muriel S. Murphy

7/13/92 Public Hearing - Sorbello

Name:

Address:

Andrew Kane

223 Riley Rd
New Windsor NY

Rec'd. ZBA.
7/6/92 - (112)

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 18

Request of Vincent Sorbello

for a VARIANCE of

the regulations of the Zoning Local Law to

permit Construction of one-family
residential dwelling with insufficient Lot Area

being a VARIANCE of

Section 48-12 - Table of Bulk Regs. - Col C

for property situated as follows:

East Side of Riley Rd Town of New Windsor
New York known and designated as Tax Map
Section 35-Block 1 - Lot - 2

SAID HEARING will take place on the 13th day of

July, 1992, at the New Windsor Town Hall,

555 Union Avenue, New Windsor, N. Y. beginning at

7:30 o'clock P. M.

Richard Fenwick
Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

13

June 5, 1992

Vincent & Patricia Sorbello
RD 2 Riley Rd. Box 205
New Windsor, NY 12553

Re: Variance List 500 ft./ 35-1-2

Dear Mr. Sorbello:

According to our records, the attached list of property owners are within five hundred (500) ft. of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00. Please remit balance of \$10.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook

LESLIE COOK
Sole Assessor

LC/cad
Attachment
cc: Pat Barnhart

Drescher, Peter X
RD 2 Riley Rd.
New Windsor, NY 12553

Fry, Gordon W. Jr. & Lan Moon Chin
24 Patton Rd. X
Newburgh, NY 12550

7 Acres Sportsmen Club Inc.
c/o Philip Infante X
RD 2 Box 204 Riley Rd.
New Windsor, NY 12553

Petronella, Fransesco X
Box 227 Riley Rd.
New Windsor, NY 12553

Sorbello, Anthony T. & Vincenzia L.
RD 2 Riley Rd. X
New Windsor, NY 12553

Conte, Joseph R. & Mary Kirkpatrick
RD 2 Box 204A Riley Rd. X
New Windsor, NY 12553

Cassiello, Nancy J. & Gary J.
204B Riley Rd. X
New Windsor, NY 12553

Infante, Anthony S. &
Byron T. & Philip J. X
RD 2 Riley Rd.
New Windsor, NY 12553

Kane, Andrew M. & Linda
223 Riley Rd. X
New Windsor, NY 12553

Town of New Windsor X
555 Union Ave.
New Windsor, NY 12553

Salmeri, Stephen & Rose X
RD 2 Riley Rd.
New Windsor, NY 12553

Gray, Edythe X
RD 2 Riley Rd. Box 206
New Windsor, NY 12553

Marra, Anthony & Angelina X
940 Downing Rd.
Valley Stream, NY 11580

Frontera, Madelena Giammorino
RD 2 Riley Rd. Box 286 X
New Windsor, NY 12553

State of New York
Office of Comptroller X
Gov. A. Smith Office Building
Albany, NY 12203

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

-----x
In the Matter of Application for Variance of

Vincent Sorbello,

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

#92-18-----x

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On July 1, 1992, I compared the 13 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for variance and I find that the addressees are identical to the list received. I then mailed the envelopes in a U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Sworn to before me this
1st day of July, 1992.

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1993

(TA DOCDISK#7-030586.AOS)

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

#92-18

DATE: 6-4-92

TEL 564-7378

APPLICANT: VINCENT SORBELLO
R#2 RILEY RD BOX 205
NEW WINDSOR 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 6-4-92

FOR (BUILDING PERMIT) ONE FAMILY HOUSE

LOCATED AT RILEY RD

ZONE R3

DESCRIPTION OF EXISTING SITE: SEC: 35 BLOCK: 1 LOT: 2

IS DISAPPROVED ON THE FOLLOWING GROUNDS: MIN LOT AREA

Michael Buback
BUILDING INSPECTOR

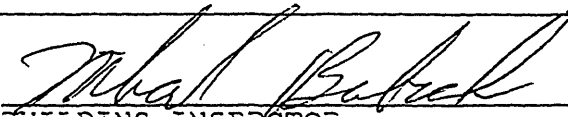
<u>REQUIREMENTS</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>R3</u> USE <u>A-9</u>		
MIN. LOT AREA <u>32,670</u>	<u>13,500</u>	<u>19,170</u>
MIN. LOT WIDTH		
REQ'D FRONT YD		

RD#2 RILEY RD BOX 205
NEW WINDSOR 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 6-4-92
FOR (BUILDING PERMIT) ONE FAMILY HOUSE
LOCATED AT RILEY RD

ZONE R3
DESCRIPTION OF EXISTING SITE: SEC: 35 BLOCK: 1 LOT: 2

IS DISAPPROVED ON THE FOLLOWING GROUNDS: MIN LOT AREA


BUILDING INSPECTOR

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>R3</u> USE <u>A-9</u>		
MIN. LOT AREA <u>32,670</u>	<u>13,500</u>	<u>19,170</u>
MIN. LOT WIDTH		
REQ'D FRONT YD		
REQ'D SIDE YD.		
REQ'D TOTAL SIDE YD.		
REQ'D REAR YD.		
REQ'D FRONTAGE		
MAX. BLDG. HT.		
FLOOR AREA RATIO		
MIN. LIVABLE AREA		
DEV. COVERAGE	%	%

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
[REDACTED] TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

914) 363-4630

CC: Z.B.A., APPLICANT, B.P. FILE

IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises Vincent Sorbello
Address RD #2 Riker Rd. Box 205 Phone 564 7378
Name of Architect _____
Address _____ Phone _____
Name of Contractor Vincent Sorbello
Address RD #2 Riker Rd. Box 205 Phone 564 7378
State whether applicant is owner, lessee, agent, architect, engineer or builder Owner
If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the East side of Riker Rd
and 2500 feet from the intersection of RT 207 (N.E. or W.)
2. Zone or use district in which premises are situated R3 Is property a flood zone? Yes No
3. Tax Map description of property: Section 35 Block 1 Lot 2
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises Vincent Sorbello
 Address RD #2 Riley Rd. Box 205 Phone 564 7378
 Name of Architect _____
 Address _____ Phone _____
 Name of Contractor Vincent Sorbello
 Address RD #2 Riley Rd. Box 205 Phone 564 7378
 State whether applicant is owner, lessee, agent, architect, engineer or builder Owner
 If applicant is a corporation, signature of duly authorized officer.

(Name and title of corporate officer)

1. On what street is property located? On the East side of Riley Rd
 and 2500 feet from the intersection of Rt 207 (N.E. or W.)
2. Zone or use district in which premises are situated R3 Is property a flood zone? Yes _____ No X
3. Tax Map description of property: Section 35 Block 1 Lot 2
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
 a. Existing use and occupancy _____ b. Intended use and occupancy _____
5. Nature of work (check which applicable): New Building X Addition _____ Alteration _____ Repair _____
 Removal _____ Demolition _____ Other _____
6. Size of lot: Front Rear 100 Depth 135 Front Yard _____ Rear Yard _____ Side Yard _____
 Is this a corner lot? No
7. Dimensions of entire new construction: Front 44' x 46' Rear _____ Depth 24' Height 1 Number of stories 1
8. If dwelling, number of dwelling units _____ Number of dwelling units on each floor _____
 Number of bedrooms 3 Baths 1 Toilets 1
 Heating Plant: Gas _____ Oil X Electric/Hot Air _____ Hot Water _____
 If Garage, number of cars ONE
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost _____ Fee _____
 (to be paid on this application)
11. School District _____

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
 Approved.....19.....
 Disapproved *N/C*.....
 Permit No.

Office Of Building Inspector
 Michael L. Babcock
 Town Hall, 555 Union Avenue
 New Windsor, New York 12550
 Telephone 565-8807

Refer -
 Planning Board.....
 Highway.....
 Sewer.....
 Water.....
 Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

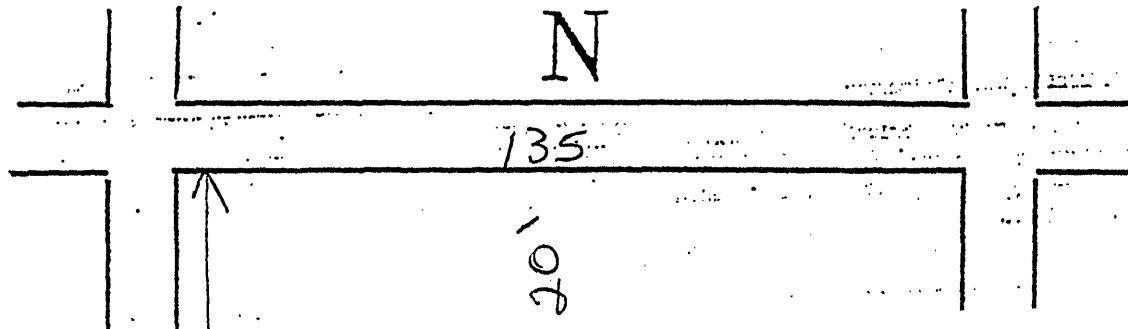
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
 Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer —
Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals.....

APPLICATION FOR BUILDING PERMIT
Pursuant to New York State Building Code and Town Ordinances

Date.....19.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property, must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

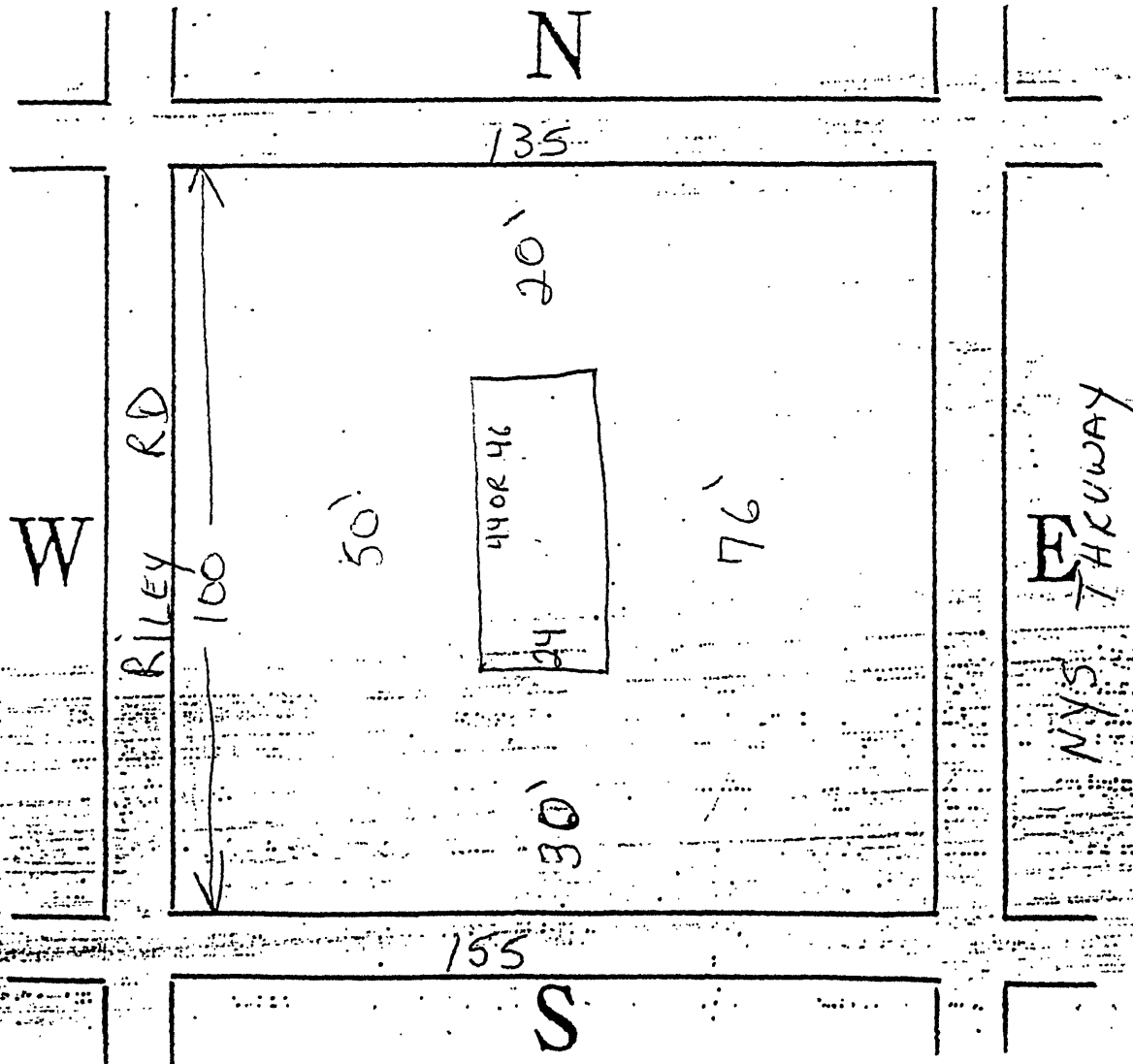
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

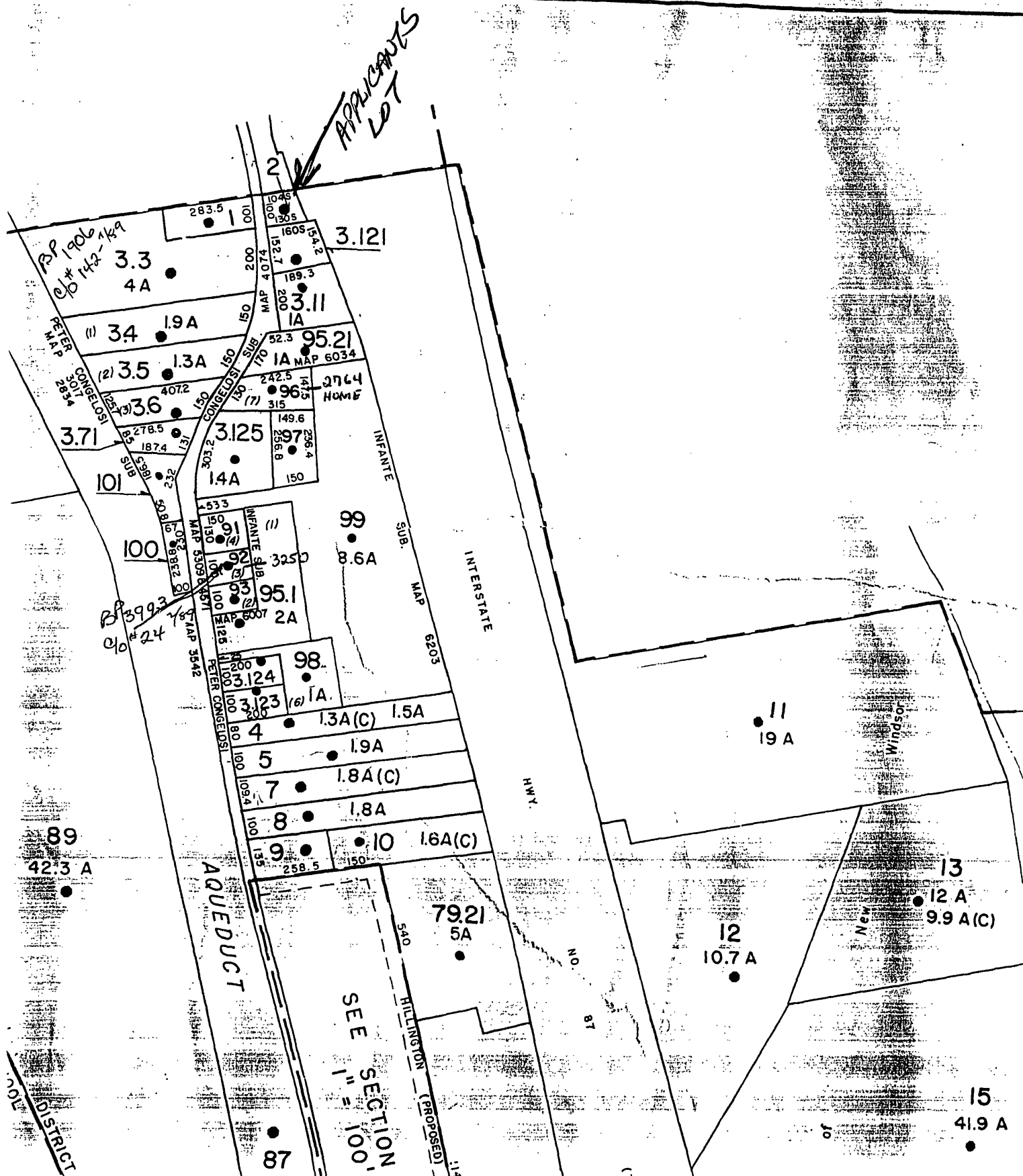
(Signature of Applicant)

(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.
Applicant must indicate the building line or lines clearly and distinctly on the drawings.





TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

92-18
Date: 6/22/92

I. Applicant Information:

- (a) Vincent Sorbello RD# Riley Rd Box 205 New Windsor
(Name, address and phone of Applicant) (Owner)
(b) 564 7378
(Name, address and phone of purchaser or lessee)
(c) _____
(Name, address and phone of attorney)
(d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) R-3 RD#2 Riley Rd 35-1-2 13 500
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.? None
(c) Is a pending sale or lease subject to ZBA approval of this application? No
(d) When was property purchased by present owner? 1986
(e) Has property been subdivided previously? No
(f) Has property been subject of variance previously? Yes
If so, when? 4/9/86
(g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: No

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12 Table of Bulk Regs., Col. C.

Requirements	Proposed or Available	Variance Request
Min. Lot Area <u>32 670</u>	<u>13,500</u>	<u>19170</u>
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		
Parking Area		

* Residential Districts only

** No-residential districts only

(b) The legal standard for an "area" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you may have made to alleviate the difficulty other than this application.

No Land is Available adjacent to this property so that it conform to R-3 zone

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size

signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation.

- (a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

This will be a single family dwelling and will conform to all other properties surrounding it

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☒ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ____ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ____ Copy(ies) of sign(s) with dimensions and location.
- ____ Check in the amount of \$ 50.00 payable to TOWN OF NEW WINDSOR.
- ____ Photographs of existing premises which show all present ²⁵⁰⁰⁰

X. Affidavit.

Date: _____

STATE OF NEW YORK)

SS. :

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

(Applicant)

Sworn to before me this

____ day of _____, 19____.

XI. ZBA Action:

(a) Public Hearing date: _____

(b) Variance: Granted () Denied ()

(c) Restrictions or conditions:

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

MAR 16 1987



Title Insurance Policy

GRENDALL ABSTRACT INC.
380 Broadway
Newburgh, N. Y. 12550

In consideration of the payment of its charges for the examination of title and its premium for insurance, insures the within named insured against all loss or damage not exceeding the amount of insurance stated herein and in addition the costs and expenses of defending the title, estate or interest insured, which the insured shall sustain by reason of any defect or defects of title affecting the premises described in Schedule A or affecting the interest of the insured therein as herein set forth, or by reason of unmarketability of the title of the insured to or in the premises, or by reason of liens or encumbrances affecting title at the date thereof, or by reason of any statutory lien for labor or material furnished prior to the date hereof which has now gained or which may hereafter gain priority over the interest insured hereby, or by reason of a lack of access to and from the premises, excepting all loss and damage by reason of the estates, interests, defects, objections, liens, encumbrances and other matters set forth in Schedule B, or by the conditions of this policy hereby incorporated into this contract, the loss and the amount to be ascertained in the manner provided in said conditions and to be payable upon compliance by the insured with the stipulations of said conditions, and not otherwise.

In Witness Whereof, **National Attorneys' Title Insurance Company** has caused this policy to be signed and sealed as of the date herein shown, the policy to become valid when countersigned by an authorized signatory.



Policy No. 10-26138

NATIONAL ATTORNEYS' TITLE INSURANCE COMPANY

Countersigned

Authorized Officer or Agent

Charles Koulouai

President

Attest:

Deborah W. Bee

Assistant Secretary



Name of Insured

Vincent Sorbello and Patricia Sorbello,
ux

Policy No. 10-26138

Amount of Insurance \$16,000.00

Date of Issue 9/10/86

The estate or interest insured by this policy is **Fee Simple** vested in the insured by means of
Deed Dated 9/10/86 and recorded in the Orange County Clerk's Office
made by John Lock and Marie Lock, ux.

SCHEDULE B

The following estates, interests, defects, objections to title, liens and incumbrances and other matters are excepted from the coverage of this policy:

1. Defects and incumbrances arising or becoming a lien after the date of this policy, except as herein provided.
2. Consequences of the exercise and enforcement or attempted enforcement of any governmental, war or police powers over the premises.
3. Any laws, regulations or ordinances (including, but not limited to zoning, building, and environmental protection) as to use, occupancy, subdivision or improvement of the premises adopted or imposed by any governmental body, or the effect of any noncompliance with or any violation thereof.
4. Judgments against the insured or estates, interests, defects, objections, liens or incumbrances created, suffered, assumed or agreed to, by or with the privity of the insured.
5. Title to any property beyond the lines of the premises, or title to areas within or rights or easements in any abutting streets, roads, avenues, lanes, ways or waterways, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement, unless this policy specifically provides that such titles, rights, or easements are insured. Notwithstanding any provisions in this paragraph to the contrary, this policy, unless otherwise excepted, insures the ordinary rights of access and egress belonging to abutting owners.
6. Title to any personal property, whether the same be attached to or used in connection with said premises or otherwise.

Restrictive covenants, conditions, agreements or easements of record.

Covenants and Restrictions in Liber 2081 cp. 796.

Easement in Liber 1173 cp. 312.

Rights of Utility Companies to maintain their poles, wires and guys.

The exact courses, distances and dimensions of the premises described in Schedule "A" will not be insured without a survey certified to the Company."

Premises described in "Schedule A". Fronts on Route N.Y.S. Thruway said Route may be widened without compensation.

Policy excepts 1986/87 School Tax - \$182.23 open
1st installment- \$60.75 Due 10/7/86
2nd installment- \$60.74 Due 12/5/86
3rd installment- \$60.74 Due 3/5/87



SCHEDULE A

Page 2 of Policy No. GR-10-26138-0

The premises in which the insured has the estate or interest covered by this policy.

ALL that certain plot, piece or parcel of land situate lying and being in the Town of New Windsor, Orange County, New York more particularly bounded and described as follows:

BEGINNING at a point in the center line of the Riley Road in line with a stone wall at the southwest corner of lands now or formerly of John and Pauline Pomarico and runs thence easterly along the southerly line of the said Pomarico lot 155 feet, more or less, to the line of lands taken by the New York State Thruway Authority; thence southerly along the division line between lands of Peter Congelosi and lands of the New York State Thruway Authority 100 feet, more or less, to a point; thence westerly parallel with the first course herein and 100 feet southerly therefrom 155 feet more or less, through the lands of said Peter Congelosi to the center line of the Riley Road, aforesaid; thence northerly along the said center line 100 feet to the point or place of BEGINNING.

USE 2081 MC 736

BETWEEN STEPHEN SALMERI, residing at (no number) Riley Road,
Town of New Windsor, Orange County, New York

party of the first part, and VINCENT COLUCCIO and ROSE COLUCCIO, husband and
wife, both residing at 64 Chestnut Lane, Town of Newburgh,
Orange County, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of -----

TEN (\$10.00)----- dollars,

lawful money of the United States, & other good & valuable consideration paid

by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or
successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, ~~XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX~~, situate,

lying and being in the Town of New Windsor, Orange County, New York, more
particularly bounded and described as follows:

BEGINNING at a point in the center line of the Riley Road in line
with a stone wall at the southwest corner of lands now or formerly of
John and Pauline Pomarico and runs thence easterly along the southerly
line of the said Pomarico lot 155 feet, more or less, to the line of
lands taken by the New York State Thruway Authority; thence southerly
along the division line between lands of Peter Congelosi and lands of
the New York State Thruway Authority 100 feet, more or less, to a
point; thence westerly parallel with the first course herein and 100
feet southerly therefrom 155 feet, more or less, through the lands of
said Peter Congelosi to the center line of the Riley Road, aforesaid;
thence northerly along the said center line 100 feet to the point
or place of beginning.

SUBJECT to the following covenants and restrictions which are
hereby made covenants running with the land:

1. That the above described premises shall be used for residential
purposes only and that no livestock excepting household pets shall
ever be kept or maintained on the premises.
2. That only one dwelling house and the usual or necessary out-
buildings thereto shall be erected upon the above described premises
and the cost for same shall not be less than \$8,500.00;
3. That no structure shall be erected nearer than 55 feet from
the center line of the Riley Road aforesaid or nearer than 15 feet
from the south line of the above described premises.
4. That no trailer, or temporary living structure or summer
cottage or bungalow shall ever be placed, located, erected or
occupied on said premises.

BEING the same premises conveyed by Peter Congelosi to Stephen
Salmeri and Rose M. Salmeri, his wife, by deed dated March 20, 1957
and recorded in the Orange County Clerk's Office on April 4, 1957
in Liber 421 of Deeds at page 71. The said Rose M. Salmeri having
died a resident of Orange County on January 20, 1973 leaving
her surviving, her husband, Stephen Salmeri.

C 1173 P 312

EASEMENT

11.0506 • T.O.P.C. 31464 P.C.S. 31277

312 409-231-747

In consideration of the sum of One Dollar (\$1.00) and other valuable considerations, the receipt whereof from Central Hudson Gas & Electric Corporation, a domestic corporation having its principal office (residence) at South Road (no street number), Poughkeepsie, New York, AND NEW YORK TELEPHONE COMPANY, a domestic Corporation having its principal office (residence) at 140 WEST STREET, NEW YORK, NEW YORK is hereby acknowledged, the undersigned hereby grants, conveys unto said corporation(s), and each of them, their respective successors, assigns and lessees, an easement and right of way over, under and across the lands of the undersigned including roads and highways thereon and adjacent thereto, situated in the

Town of NEW Windsor County of Orange State of N.Y.

Said easement and line shall extend from the property line of JOHN POMARICO on the Nor. in a Southerly direction to the property line of Michael Pomarico on the Sou.

To extend line along Riley Road.

Together with the right at all times to enter thereon and have access thereto and to construct, relocate, operate and maintain to repair, replace, protect and remove a line of poles, cables, crossarms, wires, guys, braces, underground conduits and all other appurtenances adapted to the present and future needs, uses and purposes of said corporation(s), their respective successors, assigns and lessees.

Together with the right also to attach guy wires to trees on said property, and to trim, cut and remove trees and other objects as to provide a clearance of 15 feet from the wires of said corporations.

The exact location of said easement and line is to be as determined by said corporations having regard to the origin, general destination of said line and the requirements of said corporations. If such line hereafter materially interferes with any now use of land of the undersigned may subsequently be devoted, the Corporations will, on reasonable notice, and on being given without cost a new easement and right of way, satisfactory in form to them, for a substitute location reasonably suitable for their requirements, removal of such substitute location, but only one such removal may be required.

Central Hudson Gas & Electric Corporation AND NEW YORK TELEPHONE COMPANY shall be held harmless by the undersigned for any damage to his—her—their—its property caused solely by the said Corporations in repairing the line to be used for this easement.

The provisions hereof shall inure to and bind the heirs, legal representatives, successors, assigns and lessees of the undersigned corporation(s) respectively.

Signed, sealed and delivered, on July 27, 1950 Peter Conzelmann

In the presence of Paul Bonaville Residing at: (None) Riley Rd.

New Windsor Orange

Town, County, State

* If 11 no number, street and city, town or village. If no street number put "no street number" after name of street. (Over for Acknowledgment) † If no street number put "(none)"

NEW WINDSOR ZONING BOARD OF APPEALS

-----x
In the Matter of the Application of

DECISION GRANTING
AREA VARIANCE

✓ VINCENT SORBELLO/JOHN & MARIE LOCK

#86-29.
-----x

WHEREAS, JOHN LOCK and MARIE LOCK, 64 Chestnut Lane, Newburgh, N. Y. (owners) and VINCENT SORBELLO, R. D. #2, Riley Road, New Windsor, N. Y. 12550, (contract purchaser) have made application before the Zoning Board of Appeals for a 19,170 sq. ft. lot area variance for purposes of construction of a residential dwelling in an R-3 zone to be located on Riley Road in the Town of New Windsor, New York; and

WHEREAS, a public hearing was held on the 8th day of September, 1986 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant SORBELLO represented himself; and

WHEREAS, the application was unopposed;

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to construct a residential dwelling in an R-3 zoning district with insufficient area.

3. The evidence presented by the applicant substantiated the fact that practical difficulty would be encountered if the applicant was denied the variances since there is no additional land which may be purchased in order for applicant to meet the bulk regulations in the R-3 zoning district.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty the variance requested is not granted due to the fact that if the bulk requirements were followed to the letter, an inadequate residential dwelling would be permitted.

2. The requested variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood which is residential in nature.

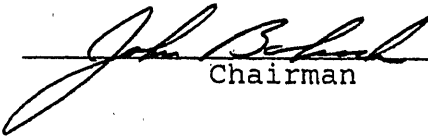
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a 19,170 sq. ft. lot area variance in accordance with plans submitted at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: September 22, 1986.


Chairman